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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA3  
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11 GEORGE SPITTAL,

No. CIV-S-05-0112 MCE/DAD PS

12 Plaintiff,

13 v.

ORDER

14 JERRY HOUSEMAN, ET AL.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, proceeding pro se, filed the above-entitled  
18 action. The matter was referred to a United States Magistrate  
19 Judge pursuant to Local Rule 72-302(c)(21).

20 On November 16, 2005, the magistrate judge filed findings  
21 and recommendations herein which were served on all parties and  
22 which contained notice to all parties that any objections to the  
23 findings and recommendations were to be filed within ten days.  
24 Plaintiff has filed objections to the findings and  
25 recommendations.  
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1 In accordance with the provisions of 28 U.S.C.  
2 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a  
3 de novo review of this case. Having carefully reviewed the  
4 entire file, the court finds the findings and recommendations to  
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The findings and recommendations filed November 16,  
8 2005, are adopted in full;

9 2. Defendants' motion to dismiss (Doc. no. 16) is granted;

10 3. Plaintiff's motion for summary judgment (Doc. no. 18) is  
11 denied;

12 4. Plaintiff's amended complaint is dismissed with  
13 prejudice; and

14 5. The Clerk is directed to close this case.

15 DATED: January 25, 2006

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19 MORRISON C. ENGLAND, JR.  
20 UNITED STATES DISTRICT JUDGE  
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